

Federal Defenders
OF NEW YORK, INC.

Southern District
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December 19, 2023

BY ECF

The Honorable Denise L. Cote
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

**Re: United States v. Donte Pratt
23 Cr. 513 (DLC)**

Dear Judge Cote:

We write, as counsel for Donte Pratt in the above-captioned matter, to respectfully request that the Court temporarily modify Mr. Pratt's bail conditions to allow him to sleep at his mother's home in the Bronx on Christmas Eve so that he may be with his family and children at his mother's home on Christmas day. Pretrial services objects to this request as a matter of policy but notes Mr. Pratt's continued compliance with the conditions of release. The government defers to pretrial.

On March 24, 2023, Mr. Pratt was presented in Magistrate Court. Following a contested bail hearing, Magistrate Judge Cave set the following bail conditions:¹

\$75,000 personal recognizance bond to be co-signed by two financially responsible persons; compliance with pretrial services supervision as directed; home incarceration at mother's home in the Bronx enforced by location monitoring technology; continue or start an education program; surrender all travel documents with no new applications; travel restricted to the Southern District of New York, the Eastern District of New York, and the District of New Jersey for court appearances only; attend all court dates for this and any other proceedings; avoid all contact, direct or in direct, with any person who is or may be a victim or witness in the investigation; mental health evaluation and

*After consulting with the defendant's
Pretrial Services Officer, the defendant
is permitted to leave Ms Ruiz's
residence for 4 hours on 12/25/23
to visit his mother's home.
Denise Cote
12/14/23*

¹ On May 16, 2023, Judge Cave endorsed Mr. Pratt's request to reside with his longtime girlfriend and bond co-signer, Latifa Ruiz, after pretrial services determined that Ms. Ruiz's residence was suitable for Mr. Pratt's home incarceration.

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treatment; not possess a firearm, destructive device, or other weapon; not possess personal identification information of any other person; must not open any new bank accounts or lines of credit without prior notice to and permission of pretrial services; consent to pretrial services search of cellphone during home visits; speak with Judge Cave within 24 hours of release and have weekly calls with Judge Cave thereafter.

Mr. Pratt was released on his own signature and complied with all conditions of release shortly thereafter.

On October 5, 2023, Mr. Pratt was arraigned on an Information and pled guilty before Your Honor to theft of government funds. In addition to the above conditions of release, the Court ordered Mr. Pratt to submit to drug testing by pretrial services. Mr. Pratt has since been drug tested twice, once on October 13 and again on November 2, 2023. Each time, he tested negative for any illicit substances. Sentencing is scheduled for January 19, 2024.

Since his presentment on March 24, 2023, Mr. Pratt has participated in 14 check-in phone calls with the government, pretrial services, and Judge Cave as directed. His most recent call with Judge Cave and the parties was last week on December 14, 2023. During each of these calls, including the most recent, pretrial services reports that Mr. Pratt remains in full compliance with the conditions of release and “is doing everything that’s asked of him.” Specifically, for months, Mr. Pratt has been attending GED courses and is enrolled in pretrial service’s Focus Forward program. He is also actively engaged in mental health counseling and treatment at Argus Community, Inc. in the Bronx. He has not violated any of his location monitoring requirements.

Mr. Pratt would like to spend Christmas with his family, in particular, his mother and children. Accordingly, he respectfully requests a temporary bail modification to enable him to stay overnight on Christmas Eve, December 24, at his mother’s home the Bronx, where he was originally ordered to reside.

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Thank you for your attention to this matter.

Respectfully submitted,

/s/

Marne L. Lenox, Esq.

Michael Arthus, Esq.

Counsel for Donte Pratt

cc: Counsel of record

SO ORDERED:

THE HONORABLE DENISE L. COTE
United States District Judge